

**FILED**

**IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN  
DISTRICT OF ILLINOIS EASTERN DIVISION**

FEB 10 2009  
Feb 10. 2009  
Judge Blanche M. Manning  
United States District Court

GE BUSINESS FINANCIAL SERVICES,  
INC.

Plaintiff,

v.

JON M. HARDER, an individual; KRISTIN  
HARDER, an individual, DARRYL E. FISHER,  
An individual, CAROL L. FISHER, an individual,  
and SUNWEST MANAGEMENT, INC., an  
Oregon corporation,

Defendants.

Case No. 08 CV 7147

ANSWER OF  
DEFENDANTS  
DARRYL E. FISHER AND  
CAROL L. FISHER

**ANSWER OF DEFENDANTS DARRYL E FISHER AND CAROL L. FISHER**

Now comes Defendants Darryl E. Fisher and Carol L. Fisher, acting Pro se, and for their answer to the Complaint filed by Plaintiff, GE Business Financial Services, Inc. in the above captioned case deny each and every allegation except as follows:

1. Deny the whole thereof, except admit that they are residents of the United States and residents of the State of Oregon.

**AS A SEPARATE DEFENSE CAROL L. FISHER**



2. Carol L. Fisher alleges that the claims against her are barred by the Equal Credit Opportunity Act (ECOA) 15 U.S.C. Sec.1691 et seq. Plaintiff, GE Business Financial Services, Inc. violated 12 C.F.R. 202 7(d)(1) and its guidelines by requiring the signature of the spouse, Carol L. Fisher, on the loan documents when Jon Harder and Darryl Fisher qualified for the loan on their own. 12 C.F.R Sec. 202.7(d)(1)

Carol L. Fisher is not an owner or member or officer of Sunwest Management, Inc. nor was she ever involved in any manner with management or operations. Her assets, which are minimal in relation to the loan, were not relied upon by the Plaintiff in extending credit. The borrowers were qualified for the loan without her credit or signature.

Carol L. Fisher has not had any personal income for the last 8 years. Thus, would have not qualified for the loan and my signature on the guarantee violated 12 C.F.R. 202.7(d)(1).

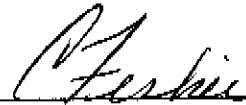
Therefore, Defendants, Darryl E. Fisher and Carol L. Fisher request that the Court dismiss this lawsuit against them.

Date: February 9, 2009

  
DARRYL E. FISHER  
  
CAROL L. FISHER

**CERTIFICATE OF SERVICE**

I, Carol L. Fisher, hereby certify that on this 9<sup>th</sup> day of February, 2009, I caused a true and correct copy of the Answer of Defendants Darryl E. Fisher and Carol L. Fisher to be served upon the Plaintiff's attorney, Timothy J. Rivelli, by faxing it to 312-558-5700.

  
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Carol L. Fisher